

Notice of Allowability

Application No.

10/615,750

Examiner

Pierre E. Elisca

Applicant(s)

BARTZ ET AL.

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/12/2005.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ The drawings filed on 08 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Pierre E. Elisca
PRIMARY PATENT EXAMINER

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REASONS FOR ALLOWANCE

1. This is an Examiner's statement of reasons for allowance. The closest prior art Morrison et al U.S. Pat. No. 6,329,920 discloses an apparatus/method for reading radio frequency transponders used for livestock identification and data collection.

IBM Technical Disclosure Bulletin TDB-ACC-NO: NN970399 discloses a method for using Radio Frequency Identification (RFID) tag technology for communication between a point of sale terminal's logic unit and input/output (I/O) devices.

EP001359523A1 Von, Drehnen Druvaan B. et al discloses a tax transaction system in which radio frequency identification (RFID) tags have been used.

However, Neither Morrison nor IBM Technical Disclosure Bulletin and Von et al singularly or in combination fails to anticipate or render obvious the recited feature:

As per claim 1 "whereby the RTDA reads customer electronic account data, verifies same and verifies the account is valid, dispenses a Transponder to a customer, reads the Transponder ID code, and associates the Transponder ID code with the customer's electronic account data in a unique customer record in an RFID database, and receives an account activation confirmation code and displays confirmation of activation to the customer".

As per claim 4 " a storage for a plurality of Transponders, the plurality of Transponders dispensable in the storage, each Transponder having a unique ID code, network access to a processor system, a MICR reader, a credit/debit card reader, a bar code reader, an RFID reader, a touchscreen input device, and a dispenser controller, at least one of the readers operable to read customer financial account data for sending across the

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network to the processor system, the RFID reader operable to read the unique Transponder code for sending across the network to the processor system, such that the dispenser controller effects secure dispensing of a Transponder upon a verification from the processor”.

As per claim 5 “ processor activation of the Transponder ID by association of the Transponder ID with the customer selected electronic account in a processor database record such that the customer account may be dynamically charged whenever the unique Transponder ID is associated with the customer database record for payment, the timing of activation being selected from the list of activation timings consisting of immediate, batched, and held for point of purchase cashier verification of customer ID”.

As per claim 14 “ logging in to the processor from the point of purchase by the customer to perform maintenance on the customer record at the processor database, wherein the step of performing maintenance on the customer record is selected from the list of step consisting of modifying the account, linking an additional transponder to the account, replacing a lost transponder, assigning the Transponder to a different customer financial account, updating the Transponder to a different customer financial account, updating the Transponder, and canceling a Transponder”.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre E. Elisca whose telephone number is 703 305-3987. The examiner can normally be reached on 6:30 to 5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703 305-9769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Pierre Eddy Elisca

Primary Patent Examiner

July 13, 2005